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	Application Number	09/452,328
	Filing Date	November 30, 1999
	First Named Inventor	Porter
	Art Unit	2153
	Examiner Name	Johnson, Marlon
Attorney Docket Number		112076-138323
Total Number of Pages in This Submission		

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application for:

Porter

Application No.: 09/452,328

Filed: November 30, 1999

For: Dynamic Content Based
Information Browsing

Examiner: Johnson, Marlon

Art Group: 2153

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Appellant's Answer to Examiner's Response Under 37 C.F.R. §1.193
In Support Of Appellant's Appeal To The Board Of Patent Appeals And Interferences

Dear Sir:

The Appellant hereby submits this Answer to Examiner's Response mailed May 6, 2005, to further their appeal filed August 13, 2004, from a final decision by the Examiner. The final decision was mailed on May 13, 2004 in response to arguments filed on March 1, 2004. Appellant respectfully requests consideration of this appeal by the Board of Patent Appeals and Interferences for allowance of the present patent application.

(1) Real Party In Interest

The real party in interest is Hall Aluminum, LLC, having its primary place of business at 171 Main St. #271, Los Altos, California 94022.

(2) Related Appeals And Interferences

To the best of Appellant's knowledge, there are no appeals or interferences related to the present appeal, which will directly affect, be directly affected by, or have a bearing on the Board's decision.

(3) Status Of The Claims

Claims 1-42 were rejected in the Final Office Action dated May 13, 2004. Claims 1-42 remain pending were reproduced, as pending, in Appendix A of the previously filed Appeal Brief.

(4) Status of Amendments

No claim amendments have been made since the mailing date of the final rejection.

(5) Summary of the invention

The present invention improves information browsing. Embodiments of the present invention augment an information page being browsed with source identifiers

directly identifying additional information pages. The augmenting source identifiers are generated based at least in part on the content of the information page being browsed; and the content of the directly identified additional information pages directly augment the content of the information page based on which the augmenting source identifiers are generated.

(6) Issues Presented

- I. Whether claims 1, 2, 6-11, 18, 21-22, 25-27, 30-32, 35-37 and 39-41 are patentable under 35 U.S.C. §102.
- II. Whether claims 3-5, 12-17, 19-20, 23-24, 28-29, 33-34, 38 and 42 are patentable under 35 U.S.C. §103

(7) Grouping of claims

For purpose of this appeal, based on the above listed grounds of rejection, all claims 1-42 stand or fall together.

(8) Answer to Examiner's Response

(A) Applicant respectfully draws the Board's attention to the fact that Applicant did indicate claims 1-48 stand and fall together in section (7) of the Appeal Brief, and reconfirmed that indication above.

(B) In response to Applicant's arguments, the Examiner stated on page 13 of the Answer

"In regards to question a), information return from the server to the browser constitute a 'page' regardless of how the server generated it. Niemi's 'answer' page (the list of hyper-links, col. 7, lines 14-17) contains a list of hyper-links to related documents and indications of the degree of similarity to the downloaded page. The 'answer' page clearly augments the information page by identifying related documents and the degree of similarity of the related documents to the downloaded page."

Respectfully, the question postulated by Applicant is not whether Niemi's 'answer' page augments the information page, but whether Niemi's 'answer' page is the augmenting information page required by the independent claims, as the claim language did not merely require an augmenting information page, but a specific type of augmenting information page that contains "second contents directly augmenting the first content".

As argued in the brief, Niemi's 'answer' page contains links to documents that contain similar content, these links of 'answer' page are not "second contents directly augmenting the first content". Accordingly, they are not the required direct augmenting information page.

The Examiner further stated on pages 13 and 14 that

"In regards to question b), at col. 5, lines 10-17, Neimi teaches that the web page is augmented wherein when an keywords are identified, the HTML code is modified "on-the-fly" to introduce associated hyper-links (information source identifiers as required by claim 1). Niemi teaches that the augmented hyper-links when clicked on causes the Web browser to request from the server the contents identified by a particular URL (col. 6, lines 33-50). Hence the augmented URL "directly identifies an information page ..."

Respectfully, the claim language does not merely call for source identifiers directly identifying information pages, but source identifiers directly identifying information pages with second content that directly augment the first content.

As argued in the brief, since Neimi merely teaches augmenting the original information page with "queries" that return an answer page (when one is selected), containing links to documents with similar content (that may be retrieved on selection of

the links), these queries are not information page identifiers that directly identify information pages with second content that directly augment the first content.

Applicant's invention, when compared to Neimi, advantageously removes one operation from the process, allowing a user to get to the useful augmenting information with one less process operation.

(9) Conclusion

Appellant respectfully submits that all appealed claims in this application are patentable and requests that the Board of Patent Appeals and Interferences overrule the Examiner's decision, and direct allowance of the rejected claims.

(10) Epilogue

For the Board's convenience, this reply is also submitted in triplicate. We do not believe any other fees, in particular extension of time fees, are needed. However, should any fee be necessary for this filing, please charge our Deposit Account No. 500393. In addition, please charge any shortages and credit any overages to the same account.

Respectfully submitted,
Appellant Applicant

Dated: July 6, 2005



By Al AuYeung, Reg. No. 35,432
Schwabe, Williamson & Wyatt, P.C.
Attorney for Appellant Applicant